

### **REMARKS**

Claims 1-3 and 5-8 are pending in the present application. Claims 1-3 and 6-8 stand rejected, and Claim 5 is allowed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-3 and 6-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Enyedy (U.S. Pat. No. 5,938,949) in view of Hill (U.S. Pat. No. 3,061,709). This rejection is respectfully traversed.

The Outstanding Office Action states that the rejected claims are silent as to the relative positions of the torch head and the gas activation device, and that Claim 5 contains allowable subject matter for specifying that the gas control device is located in the torch head and distally from the torch handle.

Accordingly, Claims 1-3 and 6-8 have been amended to specify that the gas control device is disposed within the torch head and distally from the torch handle. Therefore, amended Claims 1-3 and 6-8 are not obvious and Applicants respectfully request that the outstanding claim rejections be withdrawn.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the Outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully

requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (734) 302-6043.

Respectfully submitted,

October 29, 2007  
Date

/kelly k burris/  
Kelly K. Burris (Reg. No. 46,361)

BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60610-5599